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CASE NAME: CARLSBAD FAMILY HOUSING
CASE NO: ZC 02-06

A portion of fractional northeast quarter of southwest quarter of Section 23, Township 12 South, Range 4 West, San Bernardino Meridian, in the City of Carlsbad, County of San Diego, State of California

WHEREAS, said application constitutes a request for a Zone Change as shown on Exhibit “X” dated **July 7, 2004**, attached hereto and on file in the Planning Department, **CARLSBAD FAMILY HOUSING – ZC 02-06**, as provided by Chapter 21.52 of the Carlsbad Municipal Code; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to the Zone Change.

A) That the foregoing recitations are true and correct.

- 1 B) That based on the evidence presented at the public hearing, the Commission
2 **RECOMMENDS APPROVAL** of **CARLSBAD FAMILY HOUSING – ZC**
3 **02-06**, based on the following findings and subject to the following conditions:

4 **Findings:**

- 5 1. That the proposed Zone Change from **E-A** to **RD-M** is consistent with the goals and
6 policies of the various elements of the General Plan, in that **the proposed zoning will**
7 **implement the RH General Plan land use designation.**
- 8 2. That the Zone Change will provide consistency between the General Plan and Zoning as
9 mandated by California State law and the City of Carlsbad General Plan Land Use
10 Element, in that the **RD-M zone is intended to implement the RH General Plan land**
11 **use designation.**
- 12 3. That the Zone Change is consistent with the public convenience, necessity and general
13 welfare, and is consistent with sound planning principles in that **the 2.66 acre site**
14 **satisfies all of the locational criteria specified by the General Plan for placement of**
15 **high density development.**
- 16 4. The **Planning Commission** of the City of Carlsbad does hereby find:
- 17 a. it has reviewed, analyzed and considered Negative Declaration, the environmental
18 impacts therein identified for this project and any comments thereon prior to
19 **RECOMMENDING ADOPTION** of the project; and
- 20 b. the Negative Declaration has been prepared in accordance with requirements of
21 the California Environmental Quality Act, the State Guidelines and the
22 Environmental Protection Procedures of the City of Carlsbad; and
- 23 c. it reflects the independent judgment of the **Planning Commission** of the City of
24 Carlsbad; and
- 25 d. based on the EIA Part II and comments thereon, there is no substantial evidence
26 the project will have a significant effect on the environment

27 **Conditions:**

- 28 1. This approval is granted subject to the approval of **GPA 02-05, SDP 02-13, and SUP 02-09**, and is subject to all conditions contained in Resolutions No. **5666, 5668, and 5669.**

NOTICE

Please take **NOTICE** that approval of your project includes the “imposition” of fees, dedications, reservations, or other exactions hereafter collectively referred to for convenience as “fees/exactions.”

1 You have 90 days from date of final approval to protest imposition of these fees/exactions. If
2 you protest them, you must follow the protest procedure set forth in Government Code Section
3 66020(a), and file the protest and any other required information with the City Manager for
4 processing in accordance with Carlsbad Municipal Code Section 3.32.030. Failure to timely
follow that procedure will bar any subsequent legal action to attack, review, set aside, void, or
annul their imposition.

5 You are hereby FURTHER NOTIFIED that your right to protest the specified fees/exactions
6 DOES NOT APPLY to water and sewer connection fees and capacity charges, nor planning,
7 zoning, grading or other similar application processing or service fees in connection with this
8 project; NOR DOES IT APPLY to any fees/exactions of which you have previously been given a
NOTICE similar to this, or as to which the statute of limitations has previously otherwise
expired.

9 PASSED, APPROVED AND ADOPTED at a regular meeting of the Planning
10 Commission of the City of Carlsbad, held on the 7th day of July 2004, by the following vote, to
11 wit:
12

13 AYES: Chairperson Whitton, Commissioners Baker, Dominguez,
14 Heineman, and Montgomery

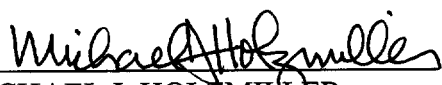
15 NOES: None

16 ABSENT: Commissioner Segall

17 ABSTAIN: None
18

19
20 
21 FRANK H. WHITTON, Chairperson
CARLSBAD PLANNING COMMISSION

22
23 ATTEST:

24 
25 MICHAEL J. HOLZMILLER
26 Planning Director
27
28

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, AMENDING SECTION 21.05.030 OF THE CARLSBAD MUNICIPAL CODE BY AN AMENDMENT TO THE ZONING MAP TO GRANT A ZONE CHANGE FROM EXCLUSIVE AGRICULTURE (E-A) TO RESIDENTIAL DENSITY - MULTIPLE (RD-M) ON PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF EL CAMINO REAL AND CASSIA ROAD IN LOCAL FACILITIES MANAGEMENT ZONE 10.

CASE NAME: CARLSBAD FAMILY HOUSING

CASE NO.: ZC 02-06

The City Council of the City of Carlsbad, California, does ordain as follows:

SECTION I: That Section 21.05.030 of the Carlsbad Municipal Code, being the City's zoning map, is amended as shown on the map marked Exhibit "ZC 02-06" attached hereto and made a part hereof.

SECTION II: That the findings and conditions of the Planning Commission as set forth in Planning Commission Resolution 5667 constitute the findings and conditions of the City Council.

EFFECTIVE DATE: This ordinance shall be effective thirty days after its adoption, and the City Clerk shall certify to the adoption of this ordinance and cause it to be published at least once in a publication of general circulation in the City of Carlsbad within fifteen days after its adoption. *(Notwithstanding the preceding, this ordinance shall not be effective within the City's Coastal Zone until approved by the California Coastal Commission.)*

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INTRODUCED AND FIRST READ at a regular meeting of the Carlsbad City Council on the _____ day of _____ 2004, and thereafter.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Carlsbad on the _____ day of _____ 2004, by the following vote, to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

APPROVED AS TO FORM AND LEGALITY

RONALD R. BALL, City Attorney

CLAUDE A. LEWIS, Mayor

ATTEST:

LORRAINE M. WOOD, City Clerk

(SEAL)

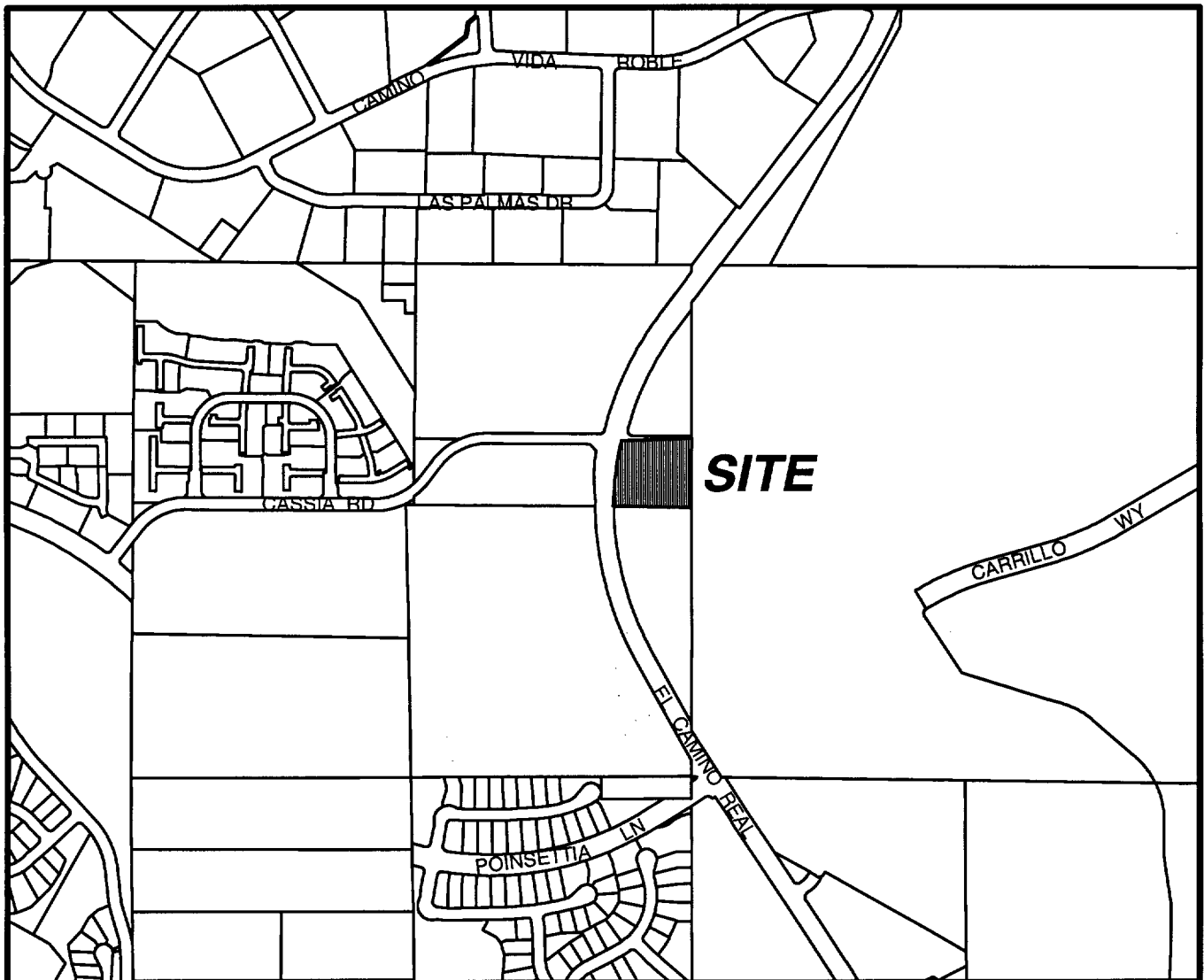
PROPERTY ZONE CHANGE

ZC: 02-06

draft ☒

final ☐

JULY 7, 2004



Project Name: Carlsbad Family Housing			Related Case File No(s):
Legal Description(s): All that portion of fractional northeast quarter of southwest quarter of Section 23, Township 12 South, Range 4 West, San Bernardino Meridian, in the City of Carlsbad, County of San Diego, State of California, according to the official plat thereof.			GPA 02-05/SDP 02-13/SUP 02-09
Zone Change			Approvals
Property:	From:	To:	Council Approval Date:
A. 215-021-06	E-A	RD-M	Ordinance No:
			Effective Date:
			Signature: